

# MTSA/ISPS POLICY ADVISORY COUNCIL

December 7, 2004

## Issue/Discussion/Decision Capability to Continuously Monitor 48-04

**APPROVED**

**Issue (48-04):** What is the interpretation of the phrase “capability to continuously monitor”, as used in 33 CFR 104.285, 105.275, and 106.275?

### **Decision:**

Vessels and facility owners are not required to provide continuous monitoring of their assets, per 33 CFR 104.285, 105.275 and 106.275. These requirements state that the vessel and facility have the capability to continuously monitor, which does not mean that they have to monitor. Rather, it is anticipated that the vessel or facility would use the means in place to monitor the facility when MARSEC Levels are increased.

In cases where an FSP or VSP require continuous monitoring at all MARSEC Levels, that vessel or facility must meet those standards – this paper will **NOT** supersede anything written in an approved plan. Vessels or facilities that would like to change their plans to incorporate this interpretation would need to follow sections 33 CFR 104.415, 105.415, or 106.415, and submit required plan amendments.